

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventor(s): Zucherman et al.

Art Unit: 3738

Appn. No.: 10/730,717

Examiner: Stewart, Alvin J.

Confirm. No.: 3955

Filed: 12/08/2003

Title: SYSTEM AND METHOD FOR REPLACING
DEGENERATED SPINAL DISKS

Customer No. 23910

COMMUNICATION

Art Unit 3738

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This COMMUNICATION is in response to Examiner Stewart's request that our *Response* to the *Office Action* dated May 25, 2006 be resubmitted with a written explanation to Examiner Stewart's *Office Communication* dated November 8, 2006.

Examiner Stewart found that the Response was not fully responsive to the *Office Action* because: "*In Claim 16, the status identifier shows as 'currently amended' and there is no amendment to claim 16.*" In a telephone conversation with Examiner Stewart on December 5, 2006, the amendment to claim 16 (the addition of a comma, underlined but difficult to see) was pointed out.

Examiner Stewart requested the resubmission of our original *Response* in addition to a *Communication* outlining the telephone conversation and amendment, at which time he would proceed with review of this application.

Respectfully submitted,

Date: 12/06/2006

By: /Michael L. Robbins/

Michael L. Robbins

Reg. No. 54,774

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800